

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3736 of 2021

Arising Out of PS. Case No.-97 Year-2020 Thana- PAHARPUR District- East Champaran

MD MUMTAZ AHMAD @ SYED MUMTAZ AHMAD S/o Ali Hasan R/o
village- Sonwal, P.S.- Paharpur, District- East Champaran, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Pankaj, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-12-2021 Heard Mr. Vikash Kumar Pankaj, learned Advocate for the petitioner and Mr. Ram Priya Sharan Singh, learned APP for the State.

The petitioner, who is a PDS dealer, seeks bail in anticipation of his arrest in connection with Paharpur P.S. Case No. 97 of 2020 dated 26.03.2020 instituted for the offences under Section 7 of the Essential Commodities Act and Sections 51 & 53 of the Disaster Management Act.

On a complaint against the petitioner, his shop was raided by the Supply Inspector who is the informant of this case. On physical verification of the stock, shortage of wheat and rice were found.

Learned counsel for the petitioner has submitted that the accusation that the balance amount of wheat and rice was sold in the black market was only



an imagination of the person lodging the FIR.

During the Pandemic times, the stock position was not updated. It has further been submitted that there is no complaint whatsoever about his indulging in any irregular supply to the targeted beneficiaries. The petitioner has been a PDS dealer for a long time and never in the past, any case of this kind has been lodged against him.

Regard being had to the nature of accusation against the petitioner, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sadar-cum-Special Judge, E.C. Act, Motihari in connection with Paharpur P.S. Case No. 97 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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